

REMARKS

The application has been carefully reviewed in light of the Office Action dated June 6, 2005. Claims 41, 49-61, 65-74 and 76 have been amended. Claims 41-76 remain pending in this case. Applicants reserve the right to pursue the original claims in this application and in other applications.

Claims 41-76 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Office Action states, the application fails to teach an on-line purchase of reservations. Applicants respectfully disagree with rejection and request reconsideration.

The term “on-line” refers the condition of being connected to a network of computers or other devices. The specification states the travel agent terminal 10 is connected to a computerized reservation system 12 for transmission of reservations. The computerized reservation system 12 is connected to a conversion system 14, which is connected to an award system 16. Award system 16 awards credits agents or others who book these reservations. See Specification page 5 line 28 – page 7 line 7. Applicants submit that such a booking is an on-line purchase. Accordingly, the rejection should be withdrawn.

Claims 41-76 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Roach et al. (U.S. Patent No. 5,434,394). Applicants respectfully traverse the rejection and request reconsideration.

Amended claim 41 recites a computerized on-line incentive system for awarding points to an agent conducting an on-line purchase for a customer, the system comprising, *inter alia*, an on-line award system connected to a network, the on-line award system being in communication with an on-line sales environment and possessing an account holding a point total corresponding to the agent.

Amended claim 61 recites a computerized on-line method for awarding points to an agent conducting an on-line purchase for a customer, comprising the steps of, *inter alia*, awarding

points to the agent based on on-line purchase information and cumulating the points in a specified account for the agent.

Roach discloses a system for processing merchandise sales transactions for customers in a point of sale and warehouse facility. The system includes a point of sale (POS) controller 12 that transmits data including transaction data, membership data, customer name and points, item data (price, description, points, add-ons, warranty), inventory data, negative check file information, status messages for negative file actions, delivery scheduling data, warranty data, delivery charges and open-to-buy credit inquiry response information to sales transaction computers 18. See Roach column 7, lines 30-37.

In addition, Roach discloses:

After ordering merchandise and services in merchandise display floor 202, the customer proceeds to the final check-out area 234. Check-out personnel operate the POS check-out registers 16 to perform customer check-out functions. The customer's membership number from the card 66 is entered into the register 16. The existing sales order transaction record is displayed on the screen of the register 16. The check-out cashier (not shown) is then able to review the order with the customer, add to the sale any additional items requested, or to void any unwanted items. The cashier is able to total the sale and accept cash, checks, gift certificates, credit cards, traveler's checks, store charge cards, and coupons as valid tenders. The customer is further able to purchase items with previously accumulated frequent shopper points, as indicated on the screen of the register 16.

See Roach column 10, lines 37-53.

Roach fails to teach or suggest all the limitations of claims 41 and 61. Specifically, Roach fails to teach or suggest an on-line award system connected to a network, the on-line award system being in communication with an on-line sales environment and possessing an account holding a point total corresponding to an agent, as recited in claim 41. Also, Roach fails to teach or suggest a method of awarding points to the agent based on the on-line purchase information and cumulating the points in a specified account for the agent, as recited in claim 61. To the contrary, Roach discloses a system of awarding points to a customer for their purchases, not an agent. Accordingly, the rejection of claims 41 and 61 should be withdrawn.

Claims 42-60 depend directly or indirectly from claim 41, and claims 62-76 depend directly or indirectly from claim 61, and are allowable along with claims 41 and 61, respectively, for the reasons mentioned above and on their own merit.


A request for an extension of time is requested for the period of September 6, 2005 through October 6, 2005, and is submitted with this amendment.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below listed telephone number.

Respectfully submitted,

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